

## Notice of Public Hearing

*Under IC 4-22-2-24, notice is hereby given that on February 24, 2006 at 10:00 a.m., at the Indiana Gaming Commission, National City Center, 115 West Washington Street, South Tower, Suite 950, Conference Room, Indianapolis, Indiana. The Indiana Gaming Commission will hold a public hearing concerning proposed rules to amend 68 IAC 12-1, which outlines general provisions for surveillance systems required to be maintained and utilized by Indiana's riverboat casinos. The rule adds new provisions and amends existing provisions of 68 IAC 12-1 in order to detail the minimum requirements for the use of digital video systems by riverboat licensees and operating agents; adds or amends language in 68 IAC 12-1 to clarify that 68 IAC 12-1 applies to operating agents; adds or amends language in 68 IAC 12-1 to reflect statutory changes designating certain commission enforcement responsibilities to "gaming agents;" amends existing provisions of 68 IAC 12-1 and adds new sections to update existing regulations to conform to changes in industry standards and changes in regulatory necessity including the following: specification of the purpose of casino surveillance operations; addition of new definitions; clarification of duties of the surveillance department and surveillance employees; re-organization and clarification of regulations relating to areas that must be covered by surveillance coverage; updating minimum specifications for surveillance equipment including the specifications of required back-up equipment; clarification of requirements for surveillance department incident reports, maintenance of equipment and malfunctions of equipment; update of emergency procedures; and clarification of requirements for submission and approval of surveillance plans to the Commission.*

*These changes will impose costs on regulated entities to the extent riverboat licensees and operating agents need to increase staffing levels and purchase equipment to comply with the increased requirements. These changes are necessary to ensure that riverboat licensees and operating agents are maintaining adequate surveillance staffing and coverage of casino activities, which is crucial to the protection of the integrity of casino gaming in Indiana.*

*The Indiana Gaming Commission staff does not anticipate that this rule will impose requirements or costs under IC 4-22-2-24(d)(3) on small businesses. The applicability of this rule includes Indiana's riverboat licensees, none of which qualify under the definition of small business. The rule will also be applicable to the operating agent identified in IC 4-33-6.5. The operating agent with whom the Indiana Gaming Commission has entered into a contract may or may not qualify as a small business at the present time given that the casino is not yet open for business. However, pursuant to IC 4-33-6.5-14, "an operating agent is charged with all the duties imposed upon a licensed owner under [IC 4-33]," which would include compliance with Title 68 of the Indiana Administrative Code. As such, the operating agent is already subject to the existing rule 68 IAC 12-1. Because the changes to 68 IAC 12-1 included herein involve portable equipment and staffing, the changes in this document will only impact the operating agent once the casino is open for business at which point it will no longer qualify as a small business due to projected revenues and employment of more than 100 people.*

*Copies of these rules are now on file at the Indiana Gaming Commission, National City Center, 115 West Washington Street, South Tower, Suite 950, Indianapolis, Indiana; and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana. If an accommodation is required to allow an individual with a disability to participate, please contact Leanne Bailey at (317) 233-0046 at least 48 hours prior to the meeting.*

Ernest E. Yelton  
Executive Director  
Indiana Gaming Commission